

Serial No.: 10/586,427

REMARKS

Applicant respectfully requests reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks.

No additional claim fee is required for this Amendment as the number of independent claims is not more than three, and the total number of claims is not more than twenty.

A Petition for a one-month extension of time is enclosed.

Telephone Interview Summary

Applicant thanks Examiner Nguyen for his time and comments during a telephone interview with the undersigned on 29 August 2008. Applicant noted the differences between the outwardly facing disc-shaped cutting element of the present invention and the lateral curve of the cited prior art. The Examiner's response is noted in his Interview Summary. No agreement was reached.

Applicant believes a further interview might be helpful to develop appropriate claim language, if necessary, and requests the Examiner to contact the undersigned at (847) 490-1400 to schedule a telephone interview.

Serial No.: 10/586,427

Amendment to the Claims

Claim 1 has been canceled, and Claims 2-16 have been added. New Claims 2-16 find support in the original claim, the specification and the drawings. No new matter has been added to the claims by this Amendment.

Objection to the Specification

The Specification has been objected to for using the term “helically-shaped” where it is alleged that the teeth in the drawings are not helical. Applicant notes that the term “helically-shaped” does not refer to a spiral helix, but to the particular curvilinear shape of the teeth shown in the figures.

The Abstract has been amended to reduce the words to below 150, thereby rendering the objection to the Abstract moot.

Drawing Objections

Applicant believes the drawing objections are moot in view of the newly presented claims.

Serial No.: 10/586,427

Claim Rejections - 35 U.S.C. §112

The rejections of Claim 1 under 35 U.S.C. §112, are rendered moot by the canceling of Claim 1.

Claim Rejections - 35 U.S.C. §102

Claim 1 has been rejected under 35 U.S.C. §102(b) as anticipated by Huntington, U.S. Patent 4,782,731. Claim 1 has been canceled and independent Claims 2 and 10 have been added.

Each of Claims 2 and 10 recite teeth having two portions: 1) a conventional tooth with a front chipper part including a chipper tip having a chipper edge facing toward a working rotation of the saw and a rear wall; and 2) a rear planing/cutting part.

In Claim 2, the rear planing/cutting part has a disc part has a cutting edge outwardly facing away from a center of the saw blade and having a disc tip, a first curved lateral side cutting edge on one side of the disc tip and a second curved lateral side cutting edge on an opposing side of the disc tip. The disc part is sharpenable on both lateral sides.

In Claim 10, the rear planning/cutting part includes an outwardly facing cutting edge formed as a segment of a circle. The cutting edge includes a disc tip at

Serial No.: 10/586,427

an outermost point of the cutting edge from a center of the saw blade, a plain lateral side on one side of the disc tip and extending from the disc tip toward the saw blade, and a radially convex lateral side on an opposing side of the disc tip and extending from the disc tip toward the saw blade, wherein the disc part is sharpened on both lateral sides

The configuration of the outwardly facing cutting edge is different than the laterally curved cutting edge 22 of the Huntington Patent. The Huntington Patent does not disclose or suggest Applicant's recited rear cutting edge. The difference is especially noted in Claim 10, where both lateral sides extend from the disc tip toward the saw blade.

The new Claims 2-16 are patentable over the different blade (with a different function) of the Huntington Patent.

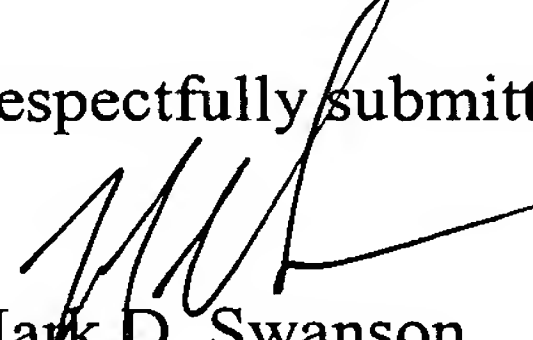
Conclusion

Applicant intends to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicant has not addressed or resolved in this response, the undersigned attorney requests a telephone interview with the Examiner.

Serial No.: 10/586,427

Applicant sincerely believes that this Patent Application is now in condition for allowance and, thus, respectfully requests early allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MDS', is written over the text 'Respectfully submitted,'.

Mark D. Swanson
Regis. No. 48,498

Pauley Petersen & Erickson
2800 West Higgins Road
Suite 365
Hoffman Estates, Illinois 60169
(847) 490-1400
FAX (847) 490-1403